

Amendment No. 1 to HB3670

**West
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Comm. Amdt. _____

AMEND Senate Bill No. 3631*

House Bill No. 3670

by deleting subdivisions (1) and (2) of Section 50-6-238(d) of Section 1 of the introduced bill and substituting instead the following:

(d)

(1)

(A) If a specialist issues an order that denies the compensability of the employee's claim or denies workers' compensation benefits to the employee, the employee may request the administrator of the division of workers' compensation to reconsider the specialist's order by submitting a written request to the administrator in a format specified by the administrator. The written request shall be submitted to the administrator no later than seven (7) calendar days from the date on which the employee received the specialist's order denying compensability or benefits. If no written request to reconsider the order of a specialist is submitted to the administrator of the workers' compensation division, the order of the specialist becomes final.

(B)

(i) If a specialist issues an order for the payment of workers' compensation benefits pursuant to this section, the party against whom the order was issued may request the administrator of the division of workers' compensation to reconsider the specialist's order by submitting a written request to the administrator in a format specified by the administrator. The written request shall be submitted to the administrator no later

than seven (7) calendar days from the date on which the party received the specialist's order that is the subject of the request.

(ii) If no written request to reconsider the order of a specialist is submitted to the administrator of the workers' compensation division as provided herein, the party against whom a specialist has issued an order to provide or pay workers' compensation benefits shall comply with the order within fifteen (15) calendar days of the receipt of the order.

(iii) If a written request for reconsideration of a specialist's order is submitted to the administrator of the division of workers' compensation, the party against whom a specialist has issued an order to provide or pay workers' compensation benefits is not required to comply with the specialist's order as outlined in subdivision (B)(ii) herein.

(2)

(A) After receipt of a written request for reconsideration of a specialist's order, an informal conference with the affected parties shall be conducted by the administrator or the administrator's designee. The informal conference with the administrator or the administrator's designee shall occur within ten (10) calendar days of the date the administrator received the written request for reconsideration. The administrator's designee shall have been an employee of the benefit review section of the division of workers' compensation for a minimum of five (5) years and shall not be the specialist who issued the order that is the subject of reconsideration.

(B) Within seven (7) calendar days following the conclusion of the informal conference, a written order shall be issued and signed by the administrator or administrator's designee. If the order issued and signed

by the administrator or administrator's designee orders the payment of workers' compensation benefits to or on behalf of the employee, the party against whom the order is issued shall comply with the order within ten (10) calendar days of the receipt of the order of the administrator or administrator's designee.

AND FURTHER AMEND by deleting from the last sentence of Section 50-6-238(d)(3) of Section 1 of the introduced bill the words "of the division of workers' compensation".

AND FURTHER AMEND by adding the words "or administrator's designee" after the word "administrator" wherever it appears in Section 50-6-238(d)(3) and (d)(4) of Section 1 of the introduced bill.